

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA


DARYL COOK : CIVIL ACTION
v. :
BRIAN Y. COLEMAN : NO. 12-1406

ORDER

AND NOW, this 25th day of June, 2012, upon
consideration of the Petition for Writ of Habeas Corpus Under 28 U.S.C. § 2254, and after
review of the Report and Recommendation of United States Magistrate Judge L. Felipe Restrepo,
it is hereby ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. The Petition for Writ of Habeas Corpus is DISMISSED, without prejudice, for
failure to exhaust state court remedies;
3. A certificate of appealability shall not issue in that a reasonable jurist could not
conclude the Court is incorrect in dismissing the habeas petition without prejudice.

BY THE COURT:


HARVEY BARTLE, III, J.